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FEED THE METER, LLC
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8 UNITED STATES BANKRUPTCY COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10

11 In re:)	Case No. 09-31504
)	
12 FEED THE METER, LLC,)	Chapter 11
)	
13 Debtor.)	EX PARTE APPLICATION FOR
)	ORDER AUTHORIZING USE OF PRE-
14)	PETITION BANK ACCOUNT THROUGH
)	JUNE 30, 2009
15)	_____
16)	
17)	NO HEARING SET
18)	

19 _____

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21 TO: THE HONORABLE THOMAS CARLSON, UNITED STATES BANKRUPTCY
JUDGE:

22 FEED THE METER, LLC, the debtor and debtor in possession herein
23 ("Applicant"), hereby applies to this Court for an order authorizing
24 it to maintain its current bank accounts with Bank of America to and
25 through June 30, 2009, and directing and authorizing Bank of
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1 American to keep the existing bank accounts open and to process all
2 transactions that occur in the accounts to and through June 30,
3 2009, respectfully representing as follows:

4 1. Applicant is a California limited liability company
5 operating a number of casual restaurants under the name "Asqew
6 Grill", and the debtor and debtor in possession herein having filed
7 its voluntary petition under Chapter 11 on June 1, 2009.

8 2. Applicant currently maintains its banking relationship with
9 Bank of America ("Bank"), and operates through fourteen bank
10 accounts consisting of the following: Operating Account (#XXXX-XXXX-
11 3871), Payroll Account (#XXXX-XXXX-3884), Accounts Payable (#XXXX-
12 XXXX-3897), Accrual Account (#XXXX-XXXX-6249), Construction Account
13 (#XXXX-XXXX-4032), and separate accounts for each restaurant
14 locations (## XXXX-XXXX-3907, -3910, -3923, -3936, -3949, -3952, -
15 3965, -6896, and -9987) (hereinafter jointly referred to as the
16 "Accounts").

17 3. Due to Applicant's ongoing financial problems, all vendors
18 have placed Applicant on a "COD" basis since the start of April,
19 2009. As a result, the only checks clearing the Accounts are in
20 payment of current deliveries. The inability to pay these vendors,
21 even for a few days, will result in the closing of Applicant's
22 restaurants and the failure of its efforts to reorganize.

23 4. Applicant's Chapter 11 petition was filed on June 1, 2009,
24 and the Applicant has been instructed to commence opening new Debtor
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1 in Possession bank accounts and has, in fact, taken the initial
2 steps to do so.

3 5. Under the best of circumstances, and assuming no problems,
4 it will take a number of days, if not longer, to open new debtor in
5 possession bank accounts. In the meantime, Applicant may be unable
6 to pay its vendors and other ongoing obligations resulting in the
7 failure of its reorganization efforts.

8 5. Further, Applicant's petition was filed earlier than
9 anticipated due to threat of immediate collection activities by some
10 creditors. As a result, it was unable to complete the pre-filing
11 planning that would normally precede the filing of a Chapter 11
12 petition.

13 6. In addition, Applicant's bankruptcy counsel is going to be
14 out of the country and unavailable starting June 2nd and continuing
15 through June 17th, and therefore unable to assist Applicant in the
16 event of any problems opening the debtor in possession accounts.

17
18 WHEREFORE, Applicant requests this Court to make and enter its
19 order: (1) authorizing Applicant to keep the Accounts open to and
20 through June 30, 2009; (2) authorizing and directing Bank to keep
21 the Accounts open to and through June 30, 2009, and to continue
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1 processing all transactions in the Accounts for the same period of
2 time unless notified earlier by Applicant to close the Postage
3 Account.

4 Dated: June 1, 2009

LAW OFFICES OF MICHAEL H. LEWIS

6 /s/ Michael Lewis
7 Michael H. Lewis
8 Attorney for Debtor
9 FEED THE METER, LLC
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